

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Klaus Sommermeyer

Application No.: 10/542,944

Group: 1623

Confirmation No.: 2584

Examiner: Everett White

U.S. National Stage of:

International Application No.: PCT/EP2004/000488

International Filing Date: January 22, 2004

For: CARBONIC ACID DIESTERS, METHODS FOR THE
PRODUCTION THEREOF AND METHODS FOR THE
PRODUCTION OF PHARMACEUTICAL ACTIVE
SUBSTANCES COUPLED TO FREE AMINO GROUPS WITH
POLYSACCHARIDE OR POLYSACCHARIDE DERIVATIVES

Date: March 3, 2009

EXPRESS MAIL LABEL NO. EV214932665US

PETITION UNDER 37 C.F.R. § 1.182
TO CORRECT THE DATE OF COMPLETION OF
THE 35 U.S.C. § 371 REQUIREMENTS

Mail Stop PCT
Office of PCT Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Applicant hereby petitions the Commissioner for Patents to correct the "Date of Completion of receipt of 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) Requirements" included on the NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495, which was mailed from the USPTO February 3, 2006 (the "NOTICE OF ACCEPTANCE").

2. The NOTICE OF ACCEPTANCE states that the date of receipt of the 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) requirements is July 20, 2005. In particular, the NOTICE OF ACCEPTANCE states that the English translation of the International Application PCT/EP2004/000488, published in German as WO 2004/065425, on which the instant U.S. Application is a national stage, was received by the USPTO on July 20, 2005.
3. However, due to an inadvertent error, the German term "Kohlensäure", used in the International Application PCT/EP2004/000488 was incorrectly translated as "carboxylic acid" rather than "carbonic acid". Applicant submits herewith Exhibit A, a copy of pages 356 and 357 of Cassello's German-English Dictionary (MacMillan Publishing Company, New York, 1978). Exhibit A indicates, on page 356, that the correct translation of the German term "Kohlensäure" into English is "carbonic acid" (the entry is highlighted in yellow).
4. Because the English translation submitted by Applicant on July 20, 2005 was incorrect and, therefore incomplete, Applicant submits that the requirements of 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) were not met on July 20, 2005.
5. Applicant provides herewith a copy of the CORRECTED English translation of the International Application PCT/EP2004/000488. Also provided is a marked-up copy of the English translation, showing the differences between the presently submitted CORRECTED translation and the translation submitted on July 20, 2005.
6. Applicant petitions the Commissioner for Patents to correct the "Date of Completion of receipt of 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) Requirements" to the date on which the attached CORRECTED English translation of the International Application PCT/EP2004/000488 is received by the USPTO. In the event the instant Petition is granted, Applicant requests that a corrected NOTICE OF ACCEPTANCE be mailed.
7. Applicant further requests that, in the event the instant Petition is granted, pursuant to 37 C.F.R. §1.496, the present application be taken up for action based on the date on which the 35 U.S.C. §371 requirements are met. In particular, Applicant requests

that the present application be examined based on the CORRECTED English translation of the International Application PCT/EP2004/000488.

8. The Patent Office is invited to contact the undersigned if they feel that a telephone conference would expedite resolution of this matter. A check for the Petition fee under 1.17(f) in the amount of \$400.00 is enclosed. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

Alexander Akhiezer

Registration No. 54,617

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

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Cassell's

**German – English
English – German**
Dictionary

**Deutsch – Englisches
Englisch – Deutsches**
Wörterbuch

Completely revised by

HAROLD T. BETTERIDGE,
M.A. (Birm.), Ph.D. (Lond.)

Formerly Senior Lecturer in German in the University of Glasgow

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EXHIBIT

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10/542,944

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2 Kohlen, v.i. (coll.) talk rubbish or rot or bosh. (See **Kohl**.)

Kohlenabbau, m. coal-mining. -**arbeiter**, m. coal-miner, pitman, collier. -**becken**, n. coalfield; -**behälter**, m. coal-bin. -**bergbau**, m. coal-mining (industry). -**bergwerk**, n. coal-mine, colliery. -**blende**, f. anthracite. -**brenner**, m. charcoal-burner. -**dampf**, -**dunst**, m. charcoal fumes. -**eimer**, m. coal-scuttle or bucket or box. -**fadenbirne**, f. carbon filament lamp. -**floz**, n. coal-seam. -**gas**, n. coal gas. (Motor.) producer gas. -**gestübe**, n. -**gries**, m. slack, small coal. -**kohlenhaftig**, adj. carboniferous, containing coal. -**Kohlenhändler**, m. coal merchant, coalman. -**hauer**, m. face worker, pitman. -**hütte**, f. charcoal-works. -**kalk**, m. carboniferous limestone. -**kasten**, m. See -**eimer**. -**klein**, n. See -**grus**. -**Kohlenlager**, n. (Geol.) coal seam; coal depot or dump. -**lösche**, f. coal-dust. -**luke**, f. (Naut.) coal-hatch. -**meiler**, m. charcoal pile. -**mulm**, m. See -**grus**. -**oxyd**, n. carbon monoxide. -**papier**, n. See **Kohlepapier**. -**revier**, n. coal-mining district. -**Kohlensauer**, adj. -**es Salz**, carbonate; -**es Soda**, carbonate of soda; -**es Sulf**, calcium carbonate; -**es Wasser**, aerated water. -**Kohlen säure**, f. carbonic acid. -**säuregas**, n. carbon dioxide. -**kohlensäurehaltig**, adj. carbonated. -**Kohlen schiefer**, m. bituminous shale. -**schiff**, n. collier. -**coal-waige**, m. coal-shed. -**station**, f. colliery. -**stift**, m. carbon (for arc-lamp). -**stoffs**, m. carbon. -**stoffs**, m. (Metall.) carbon steel. -**wasserstoff**, m. hydrocarbon. -**zeche**, f. coal-pit, colliery.

Kohlepapier ['ko:lapa:ri:] n. carbon paper.

Köhler ['ko:lər:] m. See **Kohlenbrenner**. -**Köhler rei** ['ko:lər:] m. See **Kohlenbrenner**. -**Köhler gäube**, m. (coll.) blind faith.

Kohlestift, m. 1. charcoal pencil; 2. (Elec.) carbon. -**Zeichnung**, f. charcoal drawing. -**Zinksammler**, m. (Elec.) dry cell.

Kohlgarten, m. kitchen-garden. -**kopf**, m. head of cabbage. (coll.) suffer, blockhead. -**meise**, f. (Orn.) great tit (mouse) (*Parus major*). -**kohl(p)ech** -**(raben)schwarz**, adj. (coll.) coal- or jet-black, black as a crow.

Kohlraibi ['ko:l'ra:bi:] m. (-s, pl. -s) kohlrabi, butterfly.

Kohlrübe, f. swede. -**weifling**, m. (Lit.) cabbage butterfly.

Kohorte ['ko:'hɔ:tə], f. cohort.

Koitus ['ko:itus], m. coition, coitus, copulation.

Koje ['ko:je], f. (Naut.) berth, bunk; stand, stall (in a market etc.).

Kokain ['koka:'i:n], n. cocaine.

Kokarde ['ko:kardə], f. cockade.

Kokerrei ['ko:kər:ri:] f. carbonization or coking plant.

kokett ['ko:kət], adj. coquettish, flirtatious. -**Kokette**, f. flirt, coquette, demi-monde. -**Koketterie** ['to:ri:] f. coquetry, flirtation. -**kokettieren** ['to:ri:] v.i. (of a woman) be coquettish; (fig.) -**mit**, flirt or toy with (sth. extraneous, ideas etc.). -**make a demonstration of**, show off (sth. one owns).

Kokille ['ko:kilə], f. (ingot) mould, die. -**Kokillen guß**, m. chill casting.

Kokon ['ko:kɔ:n], n. (-s, pl. -s) cocoon.

Kokosbaum ['ko:kɔs:] m. coconut palm. -**faser**, f. coir. -**coconut fibre** -**fett**, n. coconut oil. -**nuß**, f. coconut. -**palme**, f. See -**baum**.

Koks ['ko:ks], m. (-es, pl. -e) (Aust. also f.) 1. coke; 2. (sl.) (= *Kokun*) snow; 3. (sl.) (= *Geld*) dough.

Kolben ['kolbən], m. 1. club, mace, mallet; butt-end, butt (of rifle); burnisher; soldering-iron; (Mech.) piston; 2. (Chem.) flask, still, denjolin; retort, alembic; 3. (Bot.) spadix; 4. (Ent.) (cel.) 5. immature stag's horn. -**Kolben**, v.i. grow horns (as young stag), develop a head (as maize or rushes).

Kolbenantrieb, m. piston drive. -**aufgang**, m. up-stroke of a piston. -**bolzen**, m. (Motor.) gudgeon pin. -**ente**, f. (Orn.) red-crested pochard. (Am.) rufous-crested duck (*Netta rufina*). -**hub**, m.

piston-stroke. -**kappe**, f. butt-plate (of niedergang, m. down-stroke of the piston). -**schieber**, m. See -**ventil**. -**schlag**, m. piston-rod. -**stoß**, -**streich**, m. blow with piston-rod. -**streichen**, v.t. filter, strain. -**Kollier** (Chen.) retort stand. -**ventil**, m. piston-ventilcher, m. reciprocating compressor. -**verdrücker**, m. club-like; knotty, knobular.

Kolchese ['kol'ʃo:zə] f. collective farm. -**Kolchos wirtschaf**, f. collective farming.

Kolibri ['ko:libri:] m. (-s, pl. -s) humming-bird. -**Kolibrieren** ['ko:li:ri:n], v.t. filter, strain. -**Kolibrier**, n. filter, strainer.

Kolk ['kɔ:k], m. (-e, s, pl. -e) (dial.) deep hole, depression, pool. -**Kolkraube**, m. (Orn.) (Corvus corax).

Kollaps ['kɔ:laps], m. (-es, pl. -e) (Med.) collapse, fainting fit.

kollationieren ['kolatʃi:'ni:rən], v.t. collate, compare, check (off) against.

Kolleg ['kol'le:k], m. (-s, pl. -ien) (course of) lecture. See also **Kollegium**; -**halten** or **lesen**, give (or deliver) a course of lectures. -**über** (Acc.) -**hören**, hear (or attend) a course of lectures or lecture; -**belegen**, register for a course of lecture; -**schneiden**, attend lectures without paying fee; -**schwänzen**, cut lectures; -**testieren**, testing to attend dance at lectures; -**nachschreiben**, take (down) lecture notes.

Kollege ['kol'le:ʒə], m. (-n, pl. -n) colleague; -**oder** or **Lieber** -**form of address in academic circle**.

Kolleggeld, n. lecture-fee. -**heft**, n. lecture note book.

kollegial ['kol'le:ʒi:əl], (obs.) kollegialisch, adj. friendly, loyal, as a good colleague. -**Kollegialität** ['le:ʒi:əli:tät], f. esprit de corps among colleagues.

Kollegin ['le:ʒi:n], f. (lady) colleague.

Kollegium ['kol'le:ʒi:um], n. (-s, pl. -gien) corporation, assembly, committee, council, board; teaching staff. (Am.) faculty.

Kollektaneen ['kol'le:tə:'ne:n], pl. literary gleanings, miscellany, collectanea. -**Kollektaneenbuch**, n. commonplace-book.

Kollekte ['kol'lektə], f. collection; flag day; (Ecol.) collect, short prayer.

kollektiv ['kol'lektiv], adj. collective; joint. -**Kollektivbegriff**, m. (Gram.) collective. -**Gesellschaft**, f. (Comm.) partnership. -**Kollektivieren** ['le:ʒi:ri:n], v.t. collectivize. -**Kollektivismus** ['le:ʒi:zismus], m. collectivism. -**Kollektor** ['lektɔ:r], m. (-s, pl. -en) (Elec.) commutator. -**Kollektur** ['lektʃr:], f. (-s, pl. -en) (Aust.) assembly or collecting point, depot, dump.

Koller ['kɔ:lər], n. jerkin, doublet; waistcoat; bodice.

2 Koller, m. frenzy, rage, cholera; giddiness, vertigo. (Vet.) staggers. -**Kollergang**, m. crushing roller. -**kollern**, v.i. v.t. (Vet.) have the staggers; rage, rave, storm; rumble (abdominally); coo (of pigeons); gobble (of turkeys); (aux. s.) roll (about). 2. v.t. grind, crush. -**Kollerstein**, m. millstone, roller.

Kollert ['kɔ:l'ɛt], n. (-e, s, pl. -e or (dial.) -s) set [Koll].

kollidieren ['kolli:'di:rən], v.i. (aux. s.) come into collision (with), collide, clash, conflict (as lectures etc. held at the same time, or opposing views), be incompatible.

Kollier ['kolli:'e:ɪ], n. (-s, pl. -s) necklace.

kollieren ['kolli:'i:rən], v.t. (Bill.) lay (the ball) under the cushion.

Kollo ['kolɔ], n. (-s, pl. -s or **Kolli**) (obs.) bale, package, parcel, bundle.

Kolloodium ['kolɔ:'di:um], n. (Chem.) collodion.

Kolloquium ['kolɔ:'kvi:um], n. (-s, pl. -quien) colloquy, discussion (group).

kolludieren ['kolɔ:'di:rən], v.i. act in collusion with.

[-'do:ri:], m. (-s, pl. -e) commanding officer, officer commanding (of military unit). -**Kommandieren**, v.t., v.i. give orders, be in command (of).

Kommanditist ['komandit:'ist], m. (-s, pl. -en) (Comm.) 1. branch manager; 2. (Swiss) see **Kommanditist**. -**Kommanditgesellschaft**, f. limited partnership; company in which liability of one partner is limited (in *commenda*). -**Kommanditist** [-'ist], m. (-en, pl. -en) partner with limited liability. -**Kommanditsumme**, f. amount for which limited partner is liable.

Kommando ['kɔ:mando], n. (-s, pl. -s) 1. (word of) command, order; (coll.) *wie auf* -*wie auf* in one accord; 2. command, headquarters; 3. squad, detail, detachment. -**Kommandobrücke**, f. (Naut.) bridge. -**gerät**, m. (anti-aircraft) predictor. -**peife**, f. (Naut.) boatman's whistle. -**stand**, m. (anti-aircraft) command post. -**truppe**, m. (Mil.) task force, raiding party. -**truppe**, f. (Mil.) commandos. -**turn**, m. (Avt.) control tower. (Naut.) fighting top, (submarine) conning tower. -**wagen**, m. (Mil.) command car.

kommen ['kɔ:mən], irr.v.i. (aux. s.) come, arrive; approach, draw near; come to pass, come about; arise, occur; happen, take place.

(a) (with *adv.*) **abhanden** -*get* lost or mislaid; *ste find mir abhanden gekommen*, I have lost or mislaid them; *es kann nicht anders -es wird noch ganz* he cannot (help) but ...; *es wird noch ganz anders* -*there is still worse to come*; *es kommt bloß daher da ...* it is entirely due to the (fact) that ...; *wie es gerade kommt*, as the case may be, just as it turns out; *hierzu kommt noch daß ...* added to the most; *in addition; wenn es hoch kommt* at the most; *zu kurz* -*come off the loser*; ... *daß es so weit -konnte* ... that things could get so bad; *spät* -*be late*; *weit* -*mit* get far with; *es ist weit mir ihm gekommen*, he has fallen or sunk very low, he has come to a pretty pass; *weit* on, have made good or great progress; *weiter* -*get on, advance*, (make) progress.

(b) (with *imp. sub.*) *es kommt ein Gewitter*, a storm is brewing; *es mag -was (da) will*, come what may, whatever happens; *es mag -daß ...* it is possible that ...; *wie (so) or woher kommt es daß ...* how is it or how do you explain it that ...; (c) (with *Dat. of p.*) *mir kam der Gedanke*, it occurred to me, the thought crossed my mind; *das kommt ihm gerade recht*, that suits him perfectly or admirably; (coll.) *kommen mir nicht so!* don't speak to me like that! don't treat me in this way! (coll.) *der soll mir wieder* -*I just let him show his face here again!*

(d) (with *lassen*) *ihn -lassen*, send for him; *es -lassen*, have it sent or brought, order it.

(e) (with *p.p.*) *gegangen, gelaufen, gefahren* or *geritten* etc. -*come on foot, come running or driving or riding etc.*; *wie gerufen* -*come opportunely*.

(f) (with *prep.*) -*an* (Acc.), get or come to, arrive at, reach; see *unter* **Bettelstab**, **Land**, **Licht**, **Reihe**, **Stelle**, **Ufer**, **Unrechten**; -*auf* (Acc.), (come to) think of, hit upon; (come to) mention, touch upon; remember; (of amounts) amount or come to, add up to, total; *wie kommt du darauf?* what put that idea into your head? *darauf wäre er nie gekommen*, it would never have occurred to him; (coll.) *ich lasse auf dich nichts* -*I'll stand by you, I'll take your part, I'll back you to the hilt*; see also **Gedanke**, **Kosten**, **Spur**, **Welt**; *aus der Mode* -*go out of fashion*; *see also* **Auge**; *außer Atem* -*get out of breath*; see also **Fassung**; *hinter seine Geheimeis* -*see* penetrate the secret; *hinter die Wahrheit* -*discover through his tricks*; *hinter die Wahrheit* -*discover or (coll.) get at the truth*; -*in* (Acc.), go or come or get into, enter; *in Bewegung* -*get moving or going* or under way; (Naut.) *in Fahrt* -*get under way*; *in andere Hände* -*pass into other hands*; *in den Himmel* -*go to heaven*; *see also* **Betracht**, **Frage**, **Gang**, **Gerede**, **Kehle**, **klar**, **Lage**, **Quere**, **rein**, **Schule**, **Schwung**, **Sinn**, **Verfall**,